CONFERENCE OF THE COMMITTEE ON DISARMAMENT

CCD/PV.468
28 April 1970
ENGLISH

FINAL VERBATIM RECORD OF THE FOUR HUNDRED AND SIXTY-EIGHTH MEETING

held at the Palais des Nations, Geneva,
on Tuesday, 28 April 1970, at 10.30 a.m.

Chairman: Mr. M. DUGERSUREN (Mongolia)

(Previous verbatim records in this series appeared under the symbols ENDC/PV.1-ENDC/PV.430).

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PRESENT AT THE TABLE

Argentina:	Mr. C. ORTIZ de ROZAS
	Mr. A.F. DUMONT
	Mr. V.E. BERASATEGUI
Brazil:	Mr. R.E. SARAIVA GUERREIRO
	Mr. C.A. de SOUZA e SILVA
	Mr. L.F. PALMEIRA LAMPREIA
Bulgaria:	Mr. T. PETROV
	Mr. I. PEINIRDJIEV
Burma:	U KYAW MIN
Canada:	Mr. G. IGNATIEFF
	Mr. R.W. CLARK
	Mr. J.R. MORDEN
Czechoslovakia:	Mr. M. VEJVODA
	Mr. J. STRUCKA
Ethiopia:	Mr. A. ZELLEKE
Hungary:	Mr. I. KOMIVES
	Mr. J. PETRAN
	Mr. I. SARKADI
India:	Mr. M.A. HUSAIN
	Mr. K.P. JAIN
Italy:	Mr. R. CARACCIOLO
	Mr. F.L. OTTIERI
	Mr. R. BORSARELLI
	Mr. U. PESTALOZZA

Japan:	Mr. I. ABE
	Mr. H. OTSUKA
	Mr. J. SAKAMOTO
	Mr. Y. HAMADA
Mexico:	Mr. M. TELLO
Mongolia:	Mr. M. DUGERSUREN
	Mr. Z. ERENDO
	Mrs. D. BALJINNYAM
Morocco:	Mr. M.A.A. KHATTABI
Netherlands:	Mr. H.F. ESCHAUZIER
	Mr. E. BOS
Nigeria:	Mr. C.O. HOLLIST
Pakistan:	Mr. K. AHMED
	Mr. S.A.D. BUKHARI
	Mr. T.O. HYDER
Poland:	Mr. W. NATORF
	Mr. K. ZYBYLSKI
	Mr. H. STEPOSZ
	Mr. R. WLAZLO
Romania:	Mr. I. DATCU
	Mr. O. IONESCO
	Mr. V. PARASCHIV
Sweden:	Mr. A. EDELSTAM
	Mr. R. BOMAN

Union of Soviet Socialist Republics:	Mr. A.A. ROSHCHIN
	Mr. V.V. SHOUSTOV
	Mr. L.A. MASTERKOV
	Mr. V.B. TOULINOV
United Arab Republic:	Mr. H. KHALLAF
	Mr. O. SIRRY
	Mr. M. ISMAIL
United Kingdom:	Lord CHALFONT
	Mr. I.F. PORTER
	Mr. W.N. HILLIER-FRY
	Mr. J.T. MASEFIELD
United States of America:	Mr. J.F. LEONARD
	Mr. A.R. DAY
	Mr. W. GIVAN
	Mr. R.L. McCORMACK
Yugoslavia:	Mr. M. BOZINOVIC
	Mr. M. VUKOVIC
Deputy Special Representative of the Secretary-General:	Mr. W. EPSTEIN

1. The CHAIRMAN (Mongolia): I declare open the 468th plenary meeting of the Conference of the Committee on Disarmament.

2. Mr. IGNATIEFF (Canada): I should like to intervene very briefly this morning to comment on the latest revised text of the joint draft treaty prohibiting the emplacement of nuclear weapons and other weapons of mass destruction on the sea-bed and the ocean floor and in the subsoil thereof presented by the co-Chairmen on 23 April (CCD/269/Rev.2).

3. First let me congratulate the co-Chairmen on taking a further constructive step in the negotiation of this treaty. We know that the text now before us is the result of extended negotiations and has involved careful weighing of many of the criticisms of and comments on the earlier draft submitted on 30 October 1969 (CCD/269/Rev.1) which were made here and at the twenty-fourth session of the General Assembly. In fact I might say that this text in many respects goes some distance towards meeting the criterion of general acceptability to which our negotiations have been directed and encourages us in our belief that a widely-acceptable draft could be submitted to the next session of the General Assembly. That, we believe, is an important consideration for all members of this Committee.

4. Our action, therefore, at this stage reflects our genuine desire to contribute as effectively as possible to the successful conclusion of an adequate and effective treaty on sea-bed arms control, taking into account that the co-Chairmen have for their part made a serious effort in their latest draft to meet the needs of other governments.

5. Specifically, we are happy to note that the substance of the amendments submitted by the delegation of Argentina at the twenty-fourth session of the General Assembly (A/C.1/997) has now been incorporated in the new joint draft. We are also glad to see that provision has been made to bring the terms of this treaty into line with the obligations of parties to the Treaty of Tlatelolco (ENDC/183) in accordance with one of the suggestions made by the delegation of Mexico (A/C.1/995, para. 7(f)). We have also noted with interest and are in agreement with the statements made by the co-Chairmen concerning the right of direct access to the Security Council in the context of article III of the treaty. (CCD/PV.467, paras 13/14 and 33).

(Mr. Ignatieff, Canada)

6. Naturally the Canadian delegation is most directly concerned with article III dealing with verification which, in its revised form, was described by the Soviet co-Chairman as " a synthesis of the views and positions of States on the problem of control" (ibid., para.15). We view with satisfaction the fact that the bulk of the working paper on verification which the Canadian delegation, with the support of several other delegations, tabled at the twenty-fourth session of the United Nations General Assembly (A/C.1/992) has now been accepted by the co-Chairmen.

7. Article III in this new draft satisfies our major requirements as identified in our checklist of procedures contained in our working paper CCD/270 of 6 October 1969, in that it

(1) provides not only for observation but also for procedures for inspection by mutual consent if reasonable doubts arise, including the participation of all parties that might be interested;

(2) reiterates the right of States parties to the treaty to ultimate recourse to the Security Council in accordance with the provisions of the Charter;

(3) gives States parties to the treaty the right to full or partial assistance as required in carrying out the verification procedures; and

(4) provides that all verification activities must pay due regard to the: "sovereign or exclusive rights of a coastal State with respect to the natural resources of its continental shelf under international law".

8. While welcoming these developments in the thinking of the co-Chairmen as reflected in the latest revised draft, I have to note also an important omission in the present draft as regards verification. The present draft text makes no provision for recourse to appropriate international procedures or good offices -- including those of the Secretary-General of the United Nations. Members of the Committee will recall that reference to those international procedures and good offices was made twice in our working paper A/C.1/992. The first reference, in paragraph 3, dealt with assistance in identifying the State responsible for activities giving rise to concern relating to compliance with the treaty. The second reference, found in paragraph 5, was concerned with access to assistance in carrying out verification procedures.

(Mr. Ignatieff, Canada)

9. We would of course have preferred to see some reference in the draft treaty to appropriate international procedures to facilitate verification. Taking into account the need for the draft treaty to gain the widest possible adherence in order to make it an internationally effective arms control agreement, we would hope that the co-Chairmen might give further consideration to the desirability of making explicit in this treaty a right which is at any rate recognized as implicit and inherent in United Nations membership under the Charter and in international usage.

10. Mr. LEONARD (United States of America): The United States delegation found the informal meeting on chemical and bacteriological (biological) weapons on Wednesday, 22 April, extremely valuable, contributing significantly to our understanding of the issues before us. In the course of the session the distinguished representative of Sweden presented a series of questions which it was not possible at that time to discuss in detail. We believe the Committee should, as occasion affords, continue to consider those and other pertinent questions, and accordingly I would like to take up two of them very briefly today.

11. One of the questions raised by the Swedish delegation related to the possible inclusion of toxins in the United Kingdom draft convention on biological weapons (ENDC/255/Rev.1). Lord Chalfont indicated at that time that the United Kingdom would be prepared to consider this.

12. As the United States delegation explained in the working paper which we circulated on 21 April (CCD/286), when toxins are produced within the human body by living bacteria those toxins cause the symptoms which are characteristic of many bacterial diseases. Toxins could also be prepared and used as weapons. Those toxin agents would then create effects which could not be distinguished from those created by toxins produced by bacteria within the human body. Furthermore, because those toxins are produced from bacteria, facilities for producing toxin agents would be very similar to facilities for producing biological warfare agents. Therefore, while toxins are chemical substances, their characteristics from the viewpoint of arms control are so closely related to those of biological agents that the treatment of these two categories in the same convention seems not only appropriate but highly desirable.

(Mr. Leonard, United States)

13. We believe this could be simply and effectively done by adding to article I of the United Kingdom draft convention, after the reference to "microbial or other biological agents", the words "or toxins", making in the remainder of the draft whatever modifications would be required for purposes of consistency and clarity. In view of the obvious significance of enlarging the scope of the United Kingdom convention in this way, we trust that the governments represented here will give this matter most serious consideration during our spring recess.

14. While we find many reasons — such as their similar production methods and their effects — to prohibit toxins and biological warfare agents in the same agreement, subject to the same control measures, we do not see the same logic in the suggestion that these agents should be prohibited together with those chemical agents which do not have any civilian application. The fact that many potential chemical warfare agents also have widespread civilian uses seriously complicates our task. But it is not the civilian uses of chemical agents or the absence of civilian uses that should be the determining factor in drafting measures of prohibition and control. Rather, it is the military uses, proven or potential, which must be the determining factor for our work.

15. Turning to another of Mrs. Myrdal's questions of 22 April — a point which she had alluded to earlier in her statement of 9 April (CCD/PV.463, para. 11 et seq.) — I would like to comment briefly on the question of openness and reporting as a basis for verification. Open information and established procedures for reporting to an international organization could be important elements in a verification system for chemical warfare agents. However, openness and reporting and other measures for self-policing are not sufficient in themselves to form a verification system for a prohibition on production and stockpiling of chemical weapons. As we pointed out at last week's informal meeting, open information techniques, such as economic data monitoring, are not sufficient to give adequate assurance of non-production. Even with all the data available regarding United States production, research by the Arms Control and Disarmament Agency has indicated that economic data monitoring at best could serve as an adjunct to on-site technical inspection, some measure of which clearly appears to be required for effective verification of a chemical warfare ban.

16. Mr. GUERREIRO (Brazil): I wish to address my opening remarks to the co-Chairman of the Conference of the Committee on Disarmament and to thank them for the efforts made to adjust the draft treaty to the suggestions and proposals put forward by several delegations. We have no doubts in praising those efforts as a proof of the negotiating spirit that must always prevail in all the deliberations of this Conference. The brief observations I am presenting now on this new text (CCD/269/Rev.2) are, of course, quite preliminary. Our positions are well known and have been expressed in previous statements, in working papers introduced here last year (ENDC/264, CCD/267) and in draft amendments submitted at the last session of the General Assembly.

17. Our concern stems from substantive considerations related to the interests of coastal States involved in the conclusion of a treaty for the prohibition of the emplacement of weapons of mass destruction on the sea-bed. Our position has not been met in the revised draft. The vagueness of some expressions adopted, especially in article III, has raised doubts in our mind; they lend themselves to different if not conflicting interpretations. Furthermore, the new text seems at certain points to prejudge unresolved issues of the law of the seas which were not supposed to be introduced here and could only lead to endless and fruitless discussions.

18. Therefore my Government will study the new text most carefully in the light of both our desire to co-operate for the completion of this measure of non-armament and our fundamental and irrevocable concern with the preservation of the interests of coastal States. The Brazilian delegation hopes to be able to present the detailed views of the Brazilian Government when the Committee resumes its session next summer, confident that the Committee on Disarmament will then be in a position to engage in a speedy and fruitful process of negotiations. We are confident that as a result of such negotiations the outstanding interests of all parties, including those of the smaller maritime nations, will be duly protected without detracting in any way from the global and far-reaching goals of our endeavours.

19. Mr. CARACCIOLO (Italy) (interpretation from French): I have a very short statement to make on a specific point.

20. At the meeting of 16 April, the representative of Czechoslovakia, in referring to the problem of the conclusion of an agreement on safeguards within the framework of the International Atomic Energy Agency (IAEA), affirmed among other things that:

> "We hope that increased efforts will be exerted so that the agreement on safeguards may be concluded within the shortest possible time. Unfortunately, there are indications that the work on the IAEA safeguards treaty in Vienna has not started as smoothly as would be desirable." (CCD/PV.465, para 20).

21. I think I can provide certain details concerning the point raised by the representative of Czechoslovakia and at the same time give the Committee more recent information on the state of the negotiations that have taken place within the framework of the IAEA. The establishment of an ad hoc committee for the study of the problem of safeguards could be decided by the Board of Governors of IAEA only at the meeting on 1 April. The Italian delegation to IAEA had stressed that this decision should be taken at the previous meeting, on 16 February. That was not possible because of a series of difficulties which arose in the course of the discussion, a discussion which was concluded by a request for a postponement by the delegation of the Soviet Union. The resolution which establishes the above-mentioned ad hoc committee provides that the governments concerned may submit, if possible before 1 May 1970, written observations to the Secretariat of IAEA with a view to clarifying their positions on the subject of the implications of the non-proliferation Treaty (ENDC/226*) for the activities of IAEA in the field of safeguards, particularly in respect of agreements which must be concluded within the context of the non-proliferation Treaty.

22. The Italian Government for its part intends to present its own comments shortly, and hopes that a contribution of the same kind will be made by many other States members of IAEA so that the ad hoc committee may have a complete picture of the points of view of all the governments concerned. In the opinion of my Government, it is indeed of primary importance that the discussions on the vital problem of safeguards take place without anyone being excluded, and that as many delegations as possible

(Mr. Caracciolo, Italy)

take part in that discussion so as to give the militarily-non-nuclear States -- in other words, the very ones to which the guarantees should apply -- the certainty that the system will be set up in order to guarantee peace throughout the world and not to safeguard the militarily-nuclear States.

23. It is expected that the ad hoc committee will start its work next June. We hope that work will be concluded as soon as possible bearing in mind the date given in article III of the non-proliferation Treaty. Nevertheless we consider it necessary in the interest of the success of the Treaty for negotiations to be conducted in such a way as to lead to the establishment of a system of safeguards that would be at the same time effective and in accordance with the terms, the purposes and the criteria set out in article III of the Treaty.

24. I do not intend today to comment on the text of the draft treaty on the sea-bed (CCD/269/Rev.2) which was submitted at the last meeting of the Committee by the two co-Chairmen (CCD/PV.467).

25. As I have the floor, and as the representative of the delegation which, in the First Committee at the twenty-fourth session of the General Assembly, gave its support to the proposals contained in the Canadian document A/C.1/992, I should like to limit myself today simply to associating myself with the statement made by the representative of Canada today in the sense that it would be desirable to keep in their entirety the references contained in paragraphs 3 and 5 of that document.

26. Mr. LEONARD (United States of America): I will try the patience of the Committee again for just one moment to make a statement on a procedural matter. The co-Chairmen have received letters from Ambassador Akwei, who is the chairman of the Committee for the Twenty-Fifth Anniversary of the United Nations. These letters are apparently similar to letters which are being sent generally to appropriate bodies requesting information, in our case as to when the Conference of the Committee on Disarmament plans to complete its work this year, and asking for documentation that might be of relevance to a final document for consideration at the twenty-fifth General Assembly. The co-Chairmen are considering a response to these queries and will keep the Committee informed on this subject.

The Conference decided to issue the following communiqué:

"The Conference of the Committee on Disarmament today held its 468th plenary meeting in the Palais des Nations, Geneva, under the chairmanship of H.E. Ambassador Mangalyn Dugersuren, representative of Mongolia.

"Statements were made by the representatives of Canada, the United States of America, Brazil and Italy.

"The next meeting of the Conference will be held on Thursday, 30 April 1970, at 10.30 a.m.".

The meeting rose at 11.5 a.m.